

# SECTION 6

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Northern States Power Company  
Minneapolis, Minnesota 55401

**SOUTH DAKOTA ELECTRIC RATE BOOK - SDPUC NO. 2**

**GENERAL RULES AND REGULATIONS  
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**GENERAL RULES AND REGULATIONS**

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**SECTION 1 GENERAL SERVICE RULES**

**1.1 APPLICATION FOR SERVICE**

A party desiring electric service must make application to the Company before commencing the use of the Company's service. The Company reserves the right to require a signed application or written contract for service to be furnished. All applications and contracts for service must be made in the legal name of the party desiring the service. The Company may refuse or terminate service to any applicant for or user of service who fails or refuses to furnish information requested by the Company for the establishment of a service account. Receipt and use of electric service in the absence of application or contract shall constitute the user a customer of the Company subject to its rates, rules, and regulations, and said user shall be responsible for payment of all service used.

The Company shall provide an explanation of all charges and options available to customers through its rate folders, customer information booklets, and service forms.

Subject to its rates, rules, and regulations, the Company will continue to supply electric service until notified by customer to discontinue such service. The customer will be responsible for payment of all service furnished to the date of such discontinuance.

**1.2 SERVICE PROCESSING CHARGE**

The Company will charge \$12.00 for the initial establishment or reestablishment of service for each customer. If any combination of electric services requested by a customer and furnished by the Company is established or reestablished at the same time and location, only one \$12.00 charge will be required from the customer.

**1.3 ACCESS TO CUSTOMER'S PREMISES**

Company representatives, when properly identified, may have access to customer's premises at all reasonable times for the purpose of reading meters, making repairs, making inspections, removing the Company's property, or for any other purpose incident to the service.

**1.4 CONTINUITY OF SERVICE**

The Company will endeavor to provide continuous service but does not guarantee an uninterrupted or undisturbed supply of electric service. The Company will not be responsible for any loss or damage resulting from the interruption or disturbance of service for any cause other than gross negligence of the Company. The Company will not be liable for any loss of profits or other consequential damages resulting from the use of service or any interruption or disturbance of service.

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1.5 OPTIONAL METERING SERVICE

A. General Rule

The Company will provide optional metering service to eligible customers subject to the provisions in this section and all Terms and Conditions shown on the applicable rate schedule. Optional metering service will not be provided at any location where the customer is provided with fully metered service. A customer cannot divide a fully metered service so that a portion of the service could qualify for optional metering service. The Company reserves the right at any time to fully meter service previously supplied on an optional metering basis.

B. Service Availability

A customer is eligible for optional metering service so long as all of the following conditions are met:

1. The customer's utilization equipment has a total rated capacity of 10 kW or less and an estimated usage of 2,500 kWh or less per month.
2. The customer's utilization equipment has a definitely determinable demand which has verifiable limits.
3. The customer's utilization equipment is operated on a fixed schedule. A fixed schedule is:
  - a. a continuous non-discretionary 24 hour usage, or
  - b. a photocell-controlled, sunset to sunrise, usage referred to as an hours of darkness (HOD) schedule.
4. The customer's utilization equipment can be readily and efficiently inspected by the Company to verify its usage. The usage may be verified by one or more of the following:
  - a. the nameplate rating,
  - b. totalizing the load for the number of ballast-controlled high intensity discharge lamps, or
  - c. the use of a kilowatt-hour or other type of meter.

C. Optional Unmetered Service

The Company will provide optional unmetered service to customers meeting the eligibility requirements. Usage for billing will be determined by the Company and agreed to by the customer upon a contract for service.

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**1.5 OPTIONAL METERING SERVICE (Continued)**

**D. Optional Time of Day Metering Service**

The Company will provide optional time of day metering service to customers meeting the eligibility requirements. The time of day metering charge will be waived for customers eligible for this optional service. Time of day billing will be accomplished through a usage schedule which accounts for the number of hours of usage occurring in the on peak and off peak periods. Optional time of day metering service will be provided under one of the following methods:

1. *Totally Unmetered Service.* Usage for billing will be determined by the Company and agreed to by the customer upon a contract for service.
2. *Kilowatt-Hour Metered Service.* Usage for billing will be determined from meter readings.

**1.6 DEPOSITS AND GUARANTEES**

Any applicant or customer who has not established good credit as defined by the SDPUC rules may be required to deposit a sum not to exceed one-sixth of the estimated annual bill, as determined by the Company. The Company will pay 7% simple interest per annum on deposits so made, said interest to be paid annually by direct payment or as a credit on the customer's bill, at the option of the Company. The Company will refund a customer's deposit after 12 consecutive months of prompt payment. If a customer's credit standing becomes unsatisfactory after a deposit has been refunded or if the deposit is inadequate to cover one-sixth of the estimated annual bill, a new or additional deposit may be required upon reasonable written notice by the Company. Deposits will not be considered as advance payments on account. Service to a customer who fails to comply with these requirements may be discontinued upon reasonable written notice.

Upon notice by a customer to discontinue service, the customer's deposit, less any amounts due by the customer to the Company for electric service, will be returned to that customer within 45 days of the date of discontinuance of service. In lieu of cash deposit, a guarantee satisfactory to the Company for a like amount will be acceptable.

In case of discontinuance of service for non-payment of amounts payable when due, the Company will not restore service until all arrears are paid in full and a cash deposit as required above is made, or until other satisfactory credit arrangement is made.

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Labor applicable to customer caused trouble work outside of regular hrs as of 7-98

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- (2) When an employee is called to work overtime as a replacement to fill a shift in the absence of another employee who would normally have filled that shift, and providing he works more than four hours. If such employee works four hours or less, he shall then be entitled to travel time both ways.
- (1) When an employee works a complete eight hour shift on his scheduled day off, or

The following is an interpretation of Article V, Section 12:

Travel time shall be paid when an extra trip is involved for the employee in addition to the regular trip to and from work he would normally make during his regular work week. Exceptions to being paid travel time where an extra trip is involved for the employee in addition to the regular trip to and from work he would normally make during his regular work week are:

Section 12. A minimum of two (2) hours pay at the regular overtime rates shall be allowed to all men called back to work after having been released from the regular overtime rates for travel time from home to the job when not furnished transportation by the Company. Only one call back allowance will be allowed in any given two (2) hour period from time of call. The provisions of this Section shall not apply to calls prior to regular starting time where work continues on into the regular day's work.

ARTICLE V (Continued)

Section 7. All work done outside of regular hours or scheduled shifts shall be paid for at the rate of time and one-half on weekdays, and double time on Sundays and holidays except as otherwise specifically provided for herein. Men shall not be required to take time off for overtime worked or to be worked.

Double time provision  
2hr 10min minimum provision

**LABOR AGREEMENT**

JANUARY 1, 1997 TO DECEMBER 31, 1999

**BETWEEN**

**BRAINERD LAKES,  
NORTH DAKOTA, NORTHWEST,  
SOUTH DAKOTA &  
SOUTHEAST REGIONS**

**OF**

**NSP**

Northwestern States Power Company

**AND THE**

**INTERNATIONAL BROTHERHOOD  
OF ELECTRICAL WORKERS**

Local No. 949





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**1.7 TROUBLE CALLS**

When a customer calls and reports an electrical problem, the Company will, as soon as reasonably possible, send out a serviceman to determine the necessary action to correct the problem.

If the electrical problem is in the customer's facilities, the serviceman will attempt to restore service if he can do so by fuse replacement or minor temporary repair. The customer will be charged for all materials furnished in addition to the applicable labor charges set forth in this section.

<u>Charges per Trip per Person</u>	<u>Normal Hours</u>	<u>Overtime Hours</u>
Minimum charge (15 minutes or less)	\$23.00	\$31.50
Time charge per each five minutes on customer's premises over 15 minutes	\$3.30	\$4.50
Charge for delivery of materials only	\$13.00	\$18.00

If the electrical problem is in the Company's facilities or if the electrical problem is of the following nature, repairs thereof will be made as soon as reasonably possible, and the Company will waive any of such charges:

- A. Voltage measurement is the only service rendered.
- B. The Company is called to the customer's premises by the Fire or Police Department.
- C. Storm conditions require the presence of servicemen in the customer's vicinity and the Company dispatcher notified the servicemen when dispatched to waive charges.

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**SECTION 2 RATE APPLICATION**

**2.1 CLASSIFICATION OF CUSTOMERS**

For rate application:

A. Residential Customer

A residential customer is one using electric service for domestic purposes in space occupied as living quarters such as single private residences, duplex units, townhouse units, condominium units, apartment units, mobile homes, fraternity houses, sorority houses, and rooming houses. Domestic purposes or uses are domestic lighting, heating, cooking, and power service.

B. Farm Customer

A farm customer is one using electric service for the production of income for agricultural pursuits such as gardening, dairying, egg production, or raising of crops, livestock, or poultry. A farm customer taking electric service for non-domestic purposes only may be considered a general service customer for rate application purposes. A farm customer using electric service for domestic and non-domestic purposes jointly may combine such uses through one meter on such rates as are available to general service customers or farm customers. However, where such use is combined and the non-domestic electric equipment totals less than one kilowatt of connected load, such farm customer shall be classified residential. Where electric equipment is used jointly for domestic and non-domestic purposes (such as a water pump), the major use of such equipment will determine whether it is classified for domestic or non-domestic uses.

C. General Service Customer

A general service customer is one using electric service for any non-domestic purpose. Hotels, greenhouses, nurseries, and kennels are specifically included in this classification.

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**2.2 AVAILABILITY OF SERVICE UNDER RATE SCHEDULES**

Availability of a rate schedule with respect to the purpose for which service thereunder may be used and the class or classes of customers to which the schedule applies shall be as specified in the rate schedule. Rate schedules are applicable to alternating current service only.

Availability of service under a rate schedule at any particular location in a community or territory where the schedule is shown to be effective, and the kind of current, capacity, voltage, phase, and frequency which the Company holds itself out to supply, depends upon the proximity of the particular location to adequate Company facilities. The extent to which the Company will extend, enlarge, or change its facilities to supply service is determined by Section 5, STANDARD INSTALLATION AND EXTENSION RULES. In areas served by the Company's alternating current, low voltage network systems, all new customers and any customers desiring to change the voltage or type of service will be supplied only alternating current at available secondary voltage.

**2.3 CHOICE OF OPTIONAL RATES**

When more than one rate schedule is available for the same class of service as indicated by the complete copy of the Company's rates open to public inspection in the Company's office, the Company will assist the customer in the selection of the rate schedule or schedules that, in its judgment, will result in the lowest cost of projected consumption, based on 12 months' service and on the information at hand. New customers may change to another rate schedule after a reasonable trial of the rate schedule originally designated. The Company may not be required to change a rate schedule for any customer after a change more often than once in 12 months unless another change, or changes, become necessary as a result of an order issued by the Public Utilities Commission or a court having jurisdiction. The Company will not be required to make any change in a fixed term contract except as provided therein.

**2.4 STANDBY, SUPPLEMENTARY, EMERGENCY, AND INCIDENTAL SERVICES**

Unless otherwise specifically provided, the Company's rate schedules require that the customer will take his entire electrical requirements from the Company. The Company's service is not available for standby, supplementary, emergency, or incidental service with respect to any other source of power except when contracted for under a rate schedule providing for these services.

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**2.4 STANDBY, SUPPLEMENTARY, EMERGENCY, AND INCIDENTAL SERVICES (Continued)**

**A. Definitions**

1. *Standby Service* is defined as service continuously available through a permanent connection to provide power and energy for use by a customer in case of failure of another mechanical or electrical source of power.
2. *Supplementary Service* is defined as service continuously available through a permanent connection to supplement or augment directly or indirectly another independent source of power.
3. *Emergency Service* is defined as service supplied through a temporary connection for the customer's use when his usual source of supply has failed.
4. *Incidental Service* is defined as service continuously available through a permanent connection to provide power and energy for use by customer where such use is merely incidental to customer's operations and essentially for his convenience; e.g., (without limiting the generality of the foregoing) for voltage or frequency control, for partial lighting of selected or limited areas, or for operation of controls, battery chargers, starting devices, electric clocks, or other equipment requiring relatively small quantities of energy as compared with customer's total energy usage.

**B. Standby and Supplementary Service**

The Company will provide Standby and Supplementary Service subject to the following provisions:

1. The customer will contract for capacity adequate to supply the entire electrical requirements for which the Company's service may be used. Contracted for capacity will be no less than the Company will be required to supply in case of customer equipment malfunction.
2. The Company will not be obligated to supply a customer's load in excess of the capacity for which that customer has contracted.
3. The customer will be liable for all damages caused by customer's use of power in excess of its contracted for capacity.
4. The Company will require a customer to contract for additional standby and supplementary capacity if the customer exceeds his contract amount in any three of the preceding 12 months.

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**2.4 STANDBY, SUPPLEMENTARY, EMERGENCY, AND INCIDENTAL SERVICES (Continued)**

**C. Parallel Operations**

If a customer has an independent source of power that will be operated in parallel with the Company's system, such source of power must be operated as provided below. Any customer who operates their facility in non-compliance with these provisions will be subject to discontinuance of service.

1. No customer may connect an independent source of power in parallel with the Company's system without prior written consent of the Company. Any customer desiring to generate in parallel shall execute a contract with the Company that contains terms and provisions regarding metering, billing, technical, and operating parameters for the customer's independent source of power.
2. The interconnection of customer's facilities with the Company's system shall not interfere with the quality of the Company's service to any of its other customers.
3. The customer will provide the necessary equipment as approved by the Company to enable the customer to operate his independent source of power in parallel with Company's system. The customer's independent source of power will be designed so that the interconnection circuit breaker or load-break switch between the Company and the customer will open under the following conditions:
  - a. deenergized Company system,
  - b. sustained line faults on Company's system, and
  - c. faults on customer's system.

A customer shall consult with the Company regarding these minimum requirements, additional protection recommended, proper operation of interconnect circuit breaker or load-break switch, and customer's independent source of power disconnecting device.

4. Since the power factor and the voltage at which the Company's system and a customer's system are operated will vary, each party agrees to operate his system at a power factor as near unity as possible in such manner as to absorb his share of the reactive power, and voltage as conducive to the best operating standards.
5. The Company reserves the right to discontinue service if continued parallel operation by the customer results in trouble on the Company's system, such as interruptions, ground faults, radio or telephone interference, surges, or objectionable voltage fluctuations, where such trouble is caused by a customer and the customer fails to remedy the causes thereof within a reasonable time.

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**SECTION 3 METERING AND BILLING**

**3.1 METERING AND TESTING**

The Company will furnish, install, and maintain one set of metering equipment for each account and rate schedule under which service is supplied. The location, number of meters and appurtenances, and specifics of installation will depend on the service arrangements and requirements of the rate schedules.

The Company will maintain and test its metering equipment in accordance with the Public Utilities Commission's rules. In the event the Company's test shows a meter to have an average error of equal or more than 2% fast or slow, the Company shall make an adjustment of the bills for service during the period of registration error if known, up to a maximum period of five years. If not known, adjustment shall be made for a period equal to one-half the time lapsed since the last previous test but not to exceed six months. If the average meter error cannot be determined because of failure of part or all of the metering equipment, the customer shall pay an amount based upon registration of check metering equipment or an estimated amount based upon the customer's consumption for comparable operations over a similar period.

The customer may request the Company to test its meter. If the request to test a meter is made within one year of a previous meter test, a customer is required to pay a deposit for the meter test as follows:

Single phase or residential customer meter	\$10.00
Single phase demand or self-contained polyphase meter	\$20.00
All other polyphase meter	\$30.00

The payments will be refunded if the test shows the metering equipment to have an average error exceeding that as defined in the preceding paragraph.

**3.2 METHOD OF DETERMINING DEMAND FOR BILLING PURPOSES**

The actual demand in kW is defined as the greatest 15 minute average load during the billing period. For determining the adjusted demand, the actual demand may require application of the average power factor, which is defined as the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor. The demand for billing shall be determined as shown in the respective rate schedule.

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**3.3 MONTHLY BILLING**

Bills will normally be rendered monthly and may be paid by mail, or at the office of the Company, or to its duly authorized agents during regular business hours. A "month", as used for billing purposes, does not mean a calendar month, but means the interval between two consecutive periodic meter reading dates which are, as nearly as practicable, at 30 day intervals. The Company may read certain meters less frequently than once each billing month for customers under the Company's self-meter reading procedure, or when the Company and customers otherwise mutually agree, except that a Company representative will read the meter at least once each 12 months. If the billing period is longer or shorter than the normal billing period by more than five days, the bill shall be prorated on a daily basis.

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**3.4 BUDGET HELPER PLAN**

Qualified customers may, at their request, be billed under the Company's budget helper plan. Such plan shall provide for 11 equal monthly payments based on the customer's previous use. The billing for the twelfth month will reflect the actual billing for that month adjusted for the credit or debit balance carried forward from the previous month. The Company will review the account during the budget year to ascertain the reasonableness of the budget amount under current rates or conditions of use of service, and the monthly payment will be adjusted accordingly.

**3.5 LATE PAYMENT CHARGE**

A late payment charge of 1% of the unpaid balance will be added to the unpaid balance after the date due. All payments received will be credited against the oldest outstanding total account balance before application of the late payment charge. The late payment charge will be assessed as follows:

<u>Class</u>	<u>Assessment Date</u>
Large commercial and industrial	Four working days after date due
All other classes	Next scheduled billing date (four working days after date due)

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**3.6 BILL DATE DUE**

Bills are due and payable upon presentation. For purposes of applying the late payment charge, the date due shown on the customer's bill shall be:

<u>Class</u>	<u>Date Due</u>
Large commercial and industrial	Minimum of 10 working days after bill mailing date
All other classes	Next scheduled billing date minus four working days

Residential and Small General Service customers have the option of selecting a modified due date for paying their bill. The due date can be extended up to a maximum of 14 calendar days from the normal due date.

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**3.7 ESTIMATED BILLS**

An estimated bill will be rendered if impractical for the Company to read the meter or customer fails to supply a meter reading form in time for the billing operation or in cases of emergency. An adjustment, if any, will be made in the bill based on the next meter reading.

**3.8 BILLING ADJUSTMENTS**

In the event of a meter or billing error, as defined by the Public Utilities Commission, the Company shall recalculate the bills for service during the period of the error and make adjustment of bills in accordance with the rules prescribed by the Commission. If a customer has been overcharged as a result of the error, the recalculated amount will be refunded or, where applicable, a credit on a bill shall be made. If a customer has been undercharged as a result of the error, the Company may bill the customer if the amount due exceeds \$10.00. The first billing of the recalculated amount due will be separately billed on a form different from the normal bill form and include a complete explanation of the billing.

**3.9 RETURNED CHECK CHARGE**

There shall be a charge of \$15.00 for any check or draft submitted to the Company for payment which is dishonored or returned by the financial institution on which it is drawn.

**3.10 ACCOUNT HISTORY CHARGE**

There shall be a charge of \$1.00 per account to the authorized requesting party for providing account history when such request involves 10 or more accounts, regardless of the type of account or number of meters.

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**GENERAL RULES AND REGULATIONS (Continued)**

Section No. 6

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**SECTION 4 USE OF SERVICE RULES**

**4.1 USE OF SERVICE**

**A. Definitions**

1. *Individual Company Metering.* Direct measurement by the Company, using a Company meter, of all electrical consumption of a customer supplied by Company.
2. *Redistribution.* The provision of unmetered electrical supply by a customer to customer's tenants or other occupant, or to any person who qualifies for unmetered service.
3. *Submetering.* The provision of metered electrical supply through a customer owned meter to a customer's tenants, cooperative or condominium owners, other occupants, or to a portion of the customer's own electrical consumption.
4. *Outside Sale.* The sale or provision of electrical supply by a customer to any other person outside the customer's building or property.
5. *Series Subtractive Metering.* An arrangement to measure consumption in a multiple occupancy unit building using individual Company meters on each occupancy unit in series with one Company master meter to measure total building consumption on the set of service entrance conductors or feeder supplying the individual occupancy units with billing for common area usage determined by Company formula.
6. *Building.* A self-contained complete structure, including movable and temporary structures separated by space or an area separation wall (as defined in the Uniform Building Code) from all other structures. Two or more structures shall not be considered a single building merely by the existence of skyways, tunnels, common heating or cooling facilities, common garages, entry halls or elevators, or other attachments.
7. *Occupancy Unit.* A room, office, apartment, or other space separated by walls or partitions that enclose the area, or a contiguous grouping thereof when occupied by a single customer.

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**GENERAL RULES AND REGULATIONS (Continued)**

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**4.1 USE OF SERVICE (Continued)**

**B. General Rules**

Electric service may be used only for the purposes set forth in the respective rate schedules. Within its assigned service area, the Company is in the business of providing retail electricity to the ultimate consumer. Electricity is supplied for use by customer's household or business and outside sale or submetering of such service is not permitted.

The electric service equipment and associated building wiring of buildings must be arranged by the owner to facilitate individual Company metering of the electrical consumption of each building and occupancy unit, except where specifically permitted by Section 4.1, USE OF SERVICE, Paragraphs (C) and (D). The Company will install and maintain necessary individual Company meters to measure consumption and render bills on the applicable rate schedules to each customer and separately occupied buildings and occupancy unit.

The Company will not install, operate, maintain, or acquire any series metering system. The Company may, however, require series subtractive metering for its own purposes to measure consumption and render bills for electric energy not otherwise measured.

Electricity is normally supplied to each separate customer through a single service and meter. The Company does not engage in the practice of doing interior wiring on customer's premises except for the installation and maintenance of its own property. The customer may combine the supply of electricity through one meter and one service to two or more buildings or occupancy units if they are located on the same or contiguous parcels of property and occupied by the same customer solely for customer's own use. If separate buildings are occupied in whole or part by tenants of the customer, then each tenant occupied building, or area, or occupancy unit must be segregated from other loads of the customer and metered by the Company.

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GENERAL RULES AND REGULATIONS (Continued)

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4.1 USE OF SERVICE (Continued)

B. General Rules (Continued)

If more than one building with tenants, or portions of more than one building with tenants, are served through one meter, this practice may continue until such time as material structural changes are made that will result in substantial remodeling or renovation. If such modifications do occur, provisions must be made to allow for individual Company metering of each tenant occupied building, or area, or occupancy unit. While the single meter service continues, the bill for the buildings will be computed as though each building used an equal portion of the total metered service and was separately billed. If more than one building with tenants, or portions of more than one building with tenants, were served through one meter prior to February 1, 1984, and the bills were computed by a different procedure, that procedure may continue until such time as major modifications are made to the service entrance equipment. At that time, the above provision for individual metering will apply.

C. Permitted Redistribution

Notwithstanding the general rules above, electrical service may be purchased by an owner or single lessee for redistribution to tenants or other persons located on the same or contiguous parcels of land, for the following uses:

1. Residential multiple occupancy buildings of only two occupancy units, one of which is occupied by the building owner.
2. Hospitals, nursing homes, hotels and motels, dormitories, campgrounds, and other facilities where the occupancy is of a purely transitory nature.
3. Floor space occupied without enclosure by walls or partitions such as department store concessions, shopping center kiosks, cigar stands, and exhibition hall booths.
4. Areas used primarily for storage.
5. Where the use otherwise qualifies for unmetered service or is permitted by rule or order of the Public Utilities Commission.

D. Existing Installations

Redistribution not permitted under the general rules above but in existence prior to June 13, 1980, may continue provided that buildings or portions of buildings that are substantially renovated or remodeled after June 13, 1980, will be converted at the customer's expense to individual Company's metering.

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**GENERAL RULES AND REGULATIONS (Continued)**

Section No. 6

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**4.2 CUSTOMER'S WIRING, EQUIPMENT, AND PROPERTY**

All wiring and equipment on customer's side of the point of connection, except metering equipment, will be furnished, installed, and maintained at the customer's expense in a manner approved by the public authorities having jurisdiction over the same.

Customer will protect all electrical equipment and systems with devices that conform to the industry accepted standard for the various classes of electrical equipment and systems to prevent fire or damage to equipment from electrical disturbances or fault occurring in the customer's system or in the supplying system. The "industry accepted standard" will be as required in the National Electrical Code and such additional devices as are prescribed by any public authority with jurisdiction over the installation of electrical facilities.

Any inspection of a customer's wiring and equipment by the Company is for the purpose of avoiding unnecessary interruptions of service to its customers or damage to its property and for no other purpose, and will not be construed to impose any liability upon the Company to a customer or any other person by reason thereof. In addition, the Company will not be liable or responsible for any loss, injury, or damage that may result from the use of or defects in a customer's wiring or equipment.

The Company may, however, at any time require a customer to make such changes in his electrical or non-electrical property or use thereof as may be necessary to eliminate any hazardous condition or any adverse affect which the operation of the customer's property or equipment may have on the Company's employees, equipment, or service. In lieu of changes by the customer, the Company may require reimbursement from the customer for the cost incurred by the Company in alleviating an adverse effect on the Company's facilities caused by the customer's property.

The transformers, service conductors, meters, and appurtenances used in furnishing electric service to a customer have a definite capacity. Therefore, no material increase in load or equipment will be made without first making arrangements with the Company for the additional electric supply.

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## SECTION 5 STANDARD INSTALLATION AND EXTENSION RULES

### 5.1 STANDARD INSTALLATION

#### A. Service at Secondary and Primary Voltage

Secondary voltage service is defined as single or three phase alternating current from 208 volts up to but not including 2,400 volts. Primary distribution voltage service is defined as three phase alternating current from 2,400 volts up to but not including 69,000 volts.

The Company will provide permanent service at the standard voltage and phase available in the area to the service location designated by the Company. The Company will not be required to provide overhead service in an area serviced by an underground distribution system. If requested by the Company, the customer shall execute an agreement or service form pertaining to the installation, operation, and maintenance of the facilities. Payments required under Section 5, STANDARD INSTALLATION AND EXTENSION RULES, will be made on a non-refundable basis and may be required in advance of construction unless other arrangements are agreed to in writing by the Company. The facilities installed by the Company shall be the property of the Company, and any payment by customer will not entitle him to any ownership interest or rights therein.

A customer, unless otherwise stipulated in the applicable agreement or service form, is required prior to any installation by the Company to provide the necessary right-of-way for the installation of the Company's facilities and to have the property developed so that the Company's facilities will be installed in a permanent location and can be installed without any delays caused by the customer.

For purposes under Section 5, STANDARD INSTALLATION AND EXTENSION RULES, the Company's costs are all direct and indirect expenses, including material, labor, overheads, and applicable taxes, incurred by the Company due to such an installation as determined by allocations under the Company's usual accounting methods.

The Company will install, own, and maintain on an individual project basis the distribution facilities necessary to provide permanent service. The customer will be required to pay, in addition to the applicable rate, the following amounts, if applicable, to the Company:

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**5.1 STANDARD INSTALLATION (Continued)**

**A. Service at Secondary and Primary Voltage (Continued)**

**1. Excess Footage**

- a. Residential. Company will extend, on private property, to a Company designated service location, a distribution lateral a maximum distance of 100 feet, a service lateral a maximum distance of 100 feet, or a combination of distribution and service lateral a maximum distance of 100 feet. When the necessary extensions exceed these limits and the total cost exceeds a sum equal to three times the customer's anticipated annual revenues, customer will be charged for additional extension according to the Excess Footage Charge. Customer will also be charged an Excess Footage Charge for each circuit foot Company extends the installation beyond Company's designated service location to another service location requested by customer.
- b. Non-Residential. Company will extend, on private property, to a Company designated service location, a distribution lateral, the total cost of which must not exceed a sum equal to three times the customer's anticipated annual revenues. When the cost of the necessary extension exceeds this limit, the customer will be charged for the additional extension according to the Excess Footage Charge. A customer, who is charged for an additional extension, will be notified at the time of service of the right to a refund of some portion of customer payments, if the first three years of actual revenues exceed the Company's estimate of anticipated revenue at the time of installation. Customer will also be charged the Excess Footage Charge for each circuit foot Company extends the installation beyond Company's designated service location to another service location requested by customer.

**Excess Footage Charge**

Services	\$4.65 per circuit foot
Excess single phase primary or secondary distribution extension	\$7.50 per circuit foot
Excess three phase primary or secondary distribution extension	\$9.50 per circuit foot

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5.1 STANDARD INSTALLATION (Continued)

A. Service at Secondary and Primary Voltage (Continued)

2. *Winter Construction.* When underground facilities are installed between October 1 and April 15, inclusive, because of failure of customer to meet all requirements of the Company by September 30, or because the customer's property, or the streets leading thereto, are not ready to receive the underground facilities by such date, such work will be subject to a Winter Construction Charge set forth hereafter for the entire length of underground facilities installed.

Winter Construction Charge

\$3.00 per trench foot

3. *Excess Capital Expenditures.* The customer will pay to Company any portion of the capital expenditures not justified by the anticipated annual revenue. Such payment, if any, will be in the amount determined by subtracting from the total estimated installation costs:
- any charges paid or to be paid under (1) through (2) above, and
  - the revenue factor equal to three times the anticipated annual revenue.
4. *Excess Installation Costs.* The customer is required to pay the excess installation cost incurred by the Company not justified by anticipated annual revenue, because of:
- surface or subsurface conditions that impede the installation of distribution facilities,
  - delays caused by customer, or
  - paving of streets, alleys or other areas prior to the installation of underground facilities.

Such payments, if any, will be determined by subtracting from the total installed cost:

- any charges paid under (1) through (3) above, and
- the revenue factor equal to three times the anticipated annual revenue.

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**5.1 STANDARD INSTALLATION (Continued)**

**B. Service at Transmission Voltage**

Transmission voltage service is defined as three phase alternating current at 69,000 volts or higher. The availability of transmission voltage will be determined by the Company when requested by the customer. The service voltage available will vary depending on the voltage in the vicinity of the customer's service location. A customer electing to take transmission service for any portion of his service will be considered a transmission service customer and any additional Company investments at the customer's location whether secondary, primary, or transmission voltage will be considered as special facilities.

Transmission voltage service will be provided under the following conditions:

1. Such service does not adversely affect the reliability of the rest of the system or cast an undue expense on other ratepayers.
2. The customer will be metered at the lowest utilization voltage. Meter readings will be adjusted to compensate for transformer losses so as to be the equivalent of metering at the service delivery voltage.
3. The customer will be responsible for converting his equipment to a higher voltage in the future if the Company must do so to carry higher loads over existing lines.
4. If in order to serve the customer, part of a transmission line extension must be built on property other than that owned by the customer, the whole line serving the customer will be built, owned, maintained, and operated by the Company. The customer will be responsible for reimbursing the Company for all expenses due to the acquisition of rights-of-way and permits on lines that the Company constructs. If the line extension is entirely on the customer's property, the customer may build, own, maintain, and operate it or request the Company to do so at the expense of the customer.
5. The customer must allow the Company access to all Company owned equipment for maintenance or emergencies. The customer's maintenance records for protective equipment must also be available to the Company for inspection.
6. The Company will not use condemnation procedures to acquire rights-of-way to provide transmission service if the customer can be served adequately and economically at primary voltage.

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5.1 STANDARD INSTALLATION (Continued)

B. Service at Transmission Voltage (Continued)

The requesting customer will be responsible for reimbursing the Company for all costs associated with required new or relocated transmission lines or extensions, changes to the distribution system, and substation modifications. If the customer requests the Company to remove existing facilities, the customer will be charged the replacement cost less depreciation, less salvage, plus removal expense. If facilities are specifically installed for more than one customer requesting transmission service, the cost will be shared by the customers requesting this service. The customer shall execute an Electric Service Agreement specifying the appropriate charges. Payment shall be made in the form of a monthly facility charge. An optional one-time charge is available upon customer request.

5.2 GENERAL EXTENSION

Subject to its Section 5, STANDARD INSTALLATION AND EXTENSION RULES, the Company will extend, enlarge, or change its distribution or other facilities for supplying electric service when the anticipated revenue from the sale of additional service to result therefrom is such as to justify the expenditure. When the expenditure is not so justified, the extension, enlargement, or change of facilities will be made only if the customer, at the Company's option:

- A. Pays to the Company the portion of the capital expenditure not justified by the anticipated annual revenue (with or without provision for refund of all or part of such payment),
- B. Agrees to pay a special monthly charge,
- C. Agrees to pay annually a specified minimum charge, or
- D. Agrees to a combination of the above methods.

In determining whether the expenditure is so justified, the Company will take into consideration the total cost of serving the applicant and will apply the general principle that the rendering of service to the applicant will not cast an undue burden on other customers. The Company's Section 5, STANDARD INSTALLATION AND EXTENSION RULES, imposes charges on customers for certain installation costs.

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(Continued on Sheet No. 6-27)

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**5.2 GENERAL EXTENSION (Continued)**

Refundable payments will be in the amount determined by subtracting from the total estimated installation the anticipated revenue adjusted by the revenue factor, as set forth in Section 5.1, STANDARD INSTALLATION. For each additional customer served directly from the original contracted extension within five years from the date of its completion, the person who made the advance payment will receive refunds based on the revenue to be received from the additional customer served from the extension and the costs required to serve such customer. The total of such refunds will in no event exceed the total advance payment. Refunds will be made only for line extensions on private property to a single customer served directly from the original contracted facilities.

**5.3 SPECIAL FACILITIES**

When requested by the customer, the Company will provide, if practicable, service through special facilities not normally provided under Section 5.1, STANDARD INSTALLATION. Common examples of special facilities are duplicate service facilities, special switching equipment, special service voltage, three phase service where single phase is adequate, excess capacity, capacity for intermittent equipment, trailer park distribution systems, underground installations to wood poles and other special undergrounding, and relocation or replacement of existing Company facilities. Charges will be made for such service in accordance with this rule.

The customer will execute an agreement or service form pertaining to the installation, operation, and maintenance of the facilities. Payments required will be made on a non-refundable basis and may be required in advance of construction unless other arrangements are agreed to in writing by the Company. The facilities installed by the Company shall be the property of the Company. Any payment by a customer will not entitle him to any ownership interest or rights therein.

Payment for special facilities may be required by either of the following methods, or a combination of these methods, as prescribed by the Company:

- A. A single charge for the costs incurred or to be incurred by the Company due to such a special installation, or
- B. A monthly charge of one-twelfth of the Company's annual fixed cost, plus cost of maintenance to provide such a special installation. The monthly charge will be discontinued if the special requested facilities are removed or if the customer eventually qualifies for the originally requested special facilities.

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**5.4 AUTOMATIC PROTECTIVE LIGHTING SERVICE**

When requested by a customer, the Company will provide area and directional units service to that customer, except a municipality or other governmental body if the service would be used for street lighting purposes. The Company will own, operate, and maintain the lighting unit including the fixture, lamp, ballast, photoelectric control, mounting brackets, and all necessary wiring. The Company will furnish all electric energy required for operation of the unit at the monthly rate per unit provided in the Company's rate schedule for Automatic Protective Lighting Service.

The Company will install a lighting unit on an existing utility owned wood pole upon which the Company's 120 volt or 277 volt lines are attached without an additional charge. Additional wood poles, overhead lines, guy, and anchor are available upon payment of the applicable one-time charge set forth below under Early Removal Temporary Service Charge. Optional Monthly Payments are available for requests for wood poles and overhead lines. A removal charge in the amount stated will be made if the customer discontinues service in less than three years.

<u>Item</u>	<u>Optional Monthly Payment</u>	<u>Early Removal or Temporary Service Charge</u>
Area Units		
100 Watt High Pressure Sodium		\$65.00 per unit
400 Watt High Pressure Sodium		\$85.00 per unit
Directional Units		
250 Watt High Pressure Sodium		\$100.00 per unit
400 Watt High Pressure Sodium		\$100.00 per unit
Wood Pole		
35 foot	\$6.10 per pole	\$150.00 per pole
Overhead Span	\$3.60 per span	\$125.00 per span
Guy		\$65.00 each
Anchor		\$60.00 each

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**5.5 REPLACEMENT OF OVERHEAD WITH UNDERGROUND**

**A. General**

The Company will replace its overhead facilities with underground facilities upon the request of a customer, a group of customers, or upon lawful order of a municipality. The benefited customers will be charged the value of the undepreciated life of the overhead facilities being removed and removal costs, less salvage, plus the additional cost, if any, incurred by the Company in installing its underground distribution system, including distribution laterals and service laterals, instead of an equivalent overhead system. In addition, payment for each service lateral will be charged in accordance with Section 5.1, STANDARD INSTALLATION. The customer, at his expense, must engage an electrician to convert or adapt his electrical facilities to accept service from the underground facilities to be installed. The Company will not remove its existing overhead service to a customer until after a period of time reasonably adequate for the customer to make the necessary alterations in his electrical facilities to accept underground service.

**B. Urban Renewal**

In an urban renewal area wherein 75% or more of the buildings in each block are being demolished, and undergrounding of electric lines is required either by the urban renewal plan or by ordinance, the Company will place underground, at its own expense, only that portion of its overhead facilities (excluding distribution and service laterals) that distribute power from main feeder lines to serve new and existing buildings within the renewal area. Main feeder lines or transmission lines that pass through an urban renewal area and serve other areas will be relocated or undergrounded only if the requesting party arranges to pay such costs. Each customer will be charged by the Company for the installation of necessary underground distribution lateral or service lateral to the extent required in the Company's Section 5.1, STANDARD INSTALLATION. The customer, at his expense, must engage an electrician to convert or adapt his electrical facilities to accept service from the underground facilities to be installed. The Company will not remove its existing overhead service to an undemolished building until after a period of time reasonably adequate for the customers to make the necessary alterations in their electrical facilities to accept underground service.

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**5.5 REPLACEMENT OF OVERHEAD WITH UNDERGROUND (Continued)**

**C. Easements**

All installations of underground facilities by the Company will be subject to the following conditions:

1. Perpetual easements will be granted to the Company at no cost to the Company whenever any portion of the underground distribution system is located on private land. Said private easements also will allow the Company access for inspection, maintenance, and repair of Company facilities.
2. The municipality will designate and reserve a definite area within the public ways for the installation and location of Company underground facilities. Once the Company facilities have been installed in such designated and reserved areas, if the municipality requires removal or relocation of such facilities for any reason, the municipality will reimburse the Company for the cost of such removal or relocation.
3. The Company will have full access to its facilities installed underground for the purpose of inspection, maintenance, and repair of such facilities, such right of access to include the right to open streets and alleys.
4. The municipality will give sufficient notice and allow the Company sufficient time to place its facilities beneath streets and alleys while the same are torn up for resurfacing. The municipality shall provide the Company with access to the torn-up streets or alleys during such period so that Company will have unobstructed use of sufficiently large sections of the public ways to allow installation of the underground facilities in an economic manner. Further, the municipality must reimburse the Company for its additional costs in tearing up any artificial surface in any alleys or streets for the purpose of initially undergrounding Company facilities.

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**5.5 REPLACEMENT OF OVERHEAD WITH UNDERGROUND (Continued)**

**D. Customer Requirements**

The following installation and conditions will be required of the customer:

1. Secondary Voltage Service supplied from an underground distribution lateral installation will require that the customer install, own, and maintain necessary conduits and secondary service conductors or bus duct to a point designated by Company within or adjacent to the secondary compartment of the transformer or vault. Company will make final connection of customer's secondary service conductors or bus duct to Company's facilities.
2. Secondary Voltage Service supplied from underground secondary service conductors may require that the customer install, own, and maintain necessary conduits on private property to a point designated by the Company at or near the property line. The secondary service conductors usually will be installed by the customer in his conduit; however, in some installations it may be preferred to have the Company provide a continuous installation from Company facilities through the customer conduit to his service equipment. In these installations, the customer must pay the total installed cost of the Company's cable installed on private property. The Company will make the final connection of the customer's secondary service connectors to the Company's facilities.
3. The customer will be subject to any charges imposed as a result of the conditions set forth in parts (B) and (C) under Section 5.1, STANDARD INSTALLATION.

**5.6 SERVICE CONNECTIONS**

The customer, without expense to the Company, will grant the Company right-of-way on his premises for the installation and maintenance of the necessary distribution lines, service conductors and appurtenances, and will provide and maintain on the premises, at a location satisfactory to the Company, proper space for the Company's transformers, metering equipment, and appurtenances.

The service conductors as installed by the Company from the distribution line to the point of connection with the customer's service entrance conductors will be the Company's property and will be maintained by the Company at its own expense.

The customer will provide for the safekeeping of the Company's meters and other facilities and reimburse the Company for the cost of any alterations to the Company's lines, meters, or other facilities necessitated by customer and for any loss or damage to the Company's property located on the premises. The exception is when such loss or damage is occasioned by the Company's negligence or causes beyond the control of the customer.

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**GENERAL RULES AND REGULATIONS (Continued)**

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**5.7 TEMPORARY SERVICE**

The following special requirement is prescribed to govern temporary service:

A customer taking temporary service (less than five years) will pay the rate applicable to the class of service rendered and will pay in advance the Company's calculated cost, figured on a time and material basis, of the installation and removal of the facilities, including the meter required to furnish the desired service, less the salvage value of such facilities.

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Section No. 6

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**SECTION 6 CURTAILMENT OR INTERRUPTION OF SERVICE**

**6.1 REFUSAL OR DISCONTINUANCE OF SERVICE**

With notice, the Company may refuse, discontinue, or curtail electric service for any of the following reasons: failure to pay amounts payable when due; failure to meet the Company's deposit or credit requirements; breach of contract for service; failure to provide Company with reasonable access to its property or equipment; failure to make proper application for service; failure to comply with the other provisions of the Company's rates, rules, and regulations on file with the Public Utilities Commission; when Company is unable to furnish electric service to customer because it cannot obtain permits, wiring affidavits, or necessary rights-of-way; when necessary to comply with any order or request of any governmental authority having jurisdiction.

Without notice the Company may refuse, discontinue, or curtail electric service for any of the following reasons: unauthorized diversion of electricity or use of or tampering with the Company's equipment; when necessary to make repairs, replacements, or changes in the Company's equipment; in the event of a condition determined to be hazardous to the customer, other customers of the Company, the public, or the Company's employees, equipment, or service. Any discontinuance of supply will not relieve the customer from his obligations to the Company.

These are not the entire list of reasons for refusal or discontinuance of service, but are also subject to South Dakota Public Utilities Commission's rules, each reason by itself is sufficient to provoke refusal or discontinuance of service.

**6.2 CURTAILMENT OR INTERRUPTION OF SUPPLY**

Without notice, Company may curtail or interrupt service to any or all of its customers when, in its judgment, such curtailment or interruption will tend to prevent or alleviate a threat to the integrity of its power supply. In such event, the judgment of the Company will be deemed conclusive on all parties involved. The selection by the Company of the customers to be curtailed or interrupted will also be conclusive on all parties concerned, and the Company will be under no liability for any such curtailment or interruption. Any curtailment or interruption of supply will not relieve the customer from his obligations to the Company.

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**6.3 BUSINESS INTERRUPTION**

If, for any cause not reasonably within the customer's control, including fire, explosion, flood, unavoidable accident, labor dispute, or government interference, the customer's electric load is substantially reduced because customer is partially or totally prevented from using all the electric service supplied by the Company, the Annual Minimum Demand Charge provision of customer contracts for the interruptible service rates shall be prorated to reflect the duration and level of customer's business interruption.

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**GENERAL RULES AND REGULATIONS (Continued)**

Section No. 6

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**SECTION 7 COMPANY'S RIGHTS**

**7.1 WAIVER OF RIGHTS OR DEFAULTS**

No delay by the Company in enforcing any of its rights may be deemed a waiver of such rights, nor may a waiver by the Company of any of a customer's defaults be deemed a waiver of any other or subsequent defaults.

**7.2 MODIFICATION OF RATES, RULES, AND REGULATIONS**

The Company reserves the right, in any manner permitted by law, to modify any of its rates, rules, and regulations or other provisions now or hereafter in effect.

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